

# Notice of Allowability

Application No.

10/782,132

Examiner

David L. Lewis

Applicant(s)

BARABE ET AL.

Art Unit

2629

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/7/2007.
2. ☒ The allowed claim(s) is/are 1-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 9/7/2007
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### REASONS FOR ALLOWANCE

1. Previously allowed claims 1-24 remain allowable over the prior art of record.
2. The following is an examiner's statement of reasons for allowance: *The claims remain allowable in view of the fully considered IDS filed on 9/7/2007.* The Applicants arguments filed on 6/4/2007 with respect to claims 1, 9, and 17 are persuasive. The feature of independent **claims 1** directed towards allowable subject matter is the feature comprising classifying the tap as a non-tap when there is content at the location on the screen that is associated with the tap, determining whether the location on the screen is without content, and when the location on the screen is without content, determining that the tap indicates to create a document structure on the screen, and inserting a handwriting guide based on the location of the screen that is associated with the tap. The feature of independent **claim 9** directed towards allowable subject matter is the feature comprising classifying the gesture as a non-tap when there is content at the location on the screen that is associated with the tap, determining whether the location on the screen is without content when the gesture is a tap, and when the location on the screen is without content, determining that the tap indicates to create a document structure on the screen and starting a new line of text near the location of the screen that is associated with the tap. The feature of independent **claim 17** directed towards allowable subject matter is the feature comprising classifying the tap as a non-tap when there is content at the location on the screen that is associated with the tap, determining whether the location on the screen is without content, and when the location on the screen is without content: determining that the tap indicates to create a document structure on the screen and placing a writing guide near the location on the screen that is associated with the tap. The prior art of record, Thielens et al, as argued by the Applicant fails to teach of the claimed invention. In particular the gesture over

content on the screen in Thielens would not be considered a tap as found in claims 1, 9, and 17, and therefore the document structure would not be placed at that the location that does not have content as claimed. Also in contrast to Norwood, claims 1, 9, and 17 would not consider a gesture where content is located on a screen to be a tap and therefore would not attempt to put document structure such as writing in the area. Therefore the feature providing for said specific classification in relation to the location and content of text is lacking. Therefore said features of claims 1, 9, and 17 in combination with the other limitations of the claims make said claims 1-24 allowable over the prior art of record.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **David L. Lewis** whose telephone number is **(571) 272-7673**. The examiner can normally be reached on MTWTHF from 8 to 5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala, can be reached on **(571) 272-7681**. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571)-273-8300.
5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair->

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direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Examiner: David L. Lewis

September 17, 2007



BIPIN SHALWALA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600